

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

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In re FEDEX GROUND PACKAGE)	Cause No. 3:05-MD-527-RM
SYSTEM, INC., EMPLOYMENT)	(MDL 1700)
PRACTICES LITIGATION)	
)	
-----)	
THIS DOCUMENT RELATES TO:)	
)	Chief Judge Miller
ALL ACTIONS)	Magistrate Judge Nuechterlein
-----)	

**PLAINTIFFS' MOTION TO STRIKE OR EXCLUDE SECOND WAVE
DECLARATIONS OF PUTATIVE CLASS MEMBERS SUBMITTED BY DEFENDANT**

Pursuant to Rule 37(c) and 23(d) of the Federal Rules of Civil Procedure, Plaintiffs hereby move this Court for an Order to strike or exclude the declarations of purported class members submitted by FXG with its second wave of opposition briefs filed on May 17, 2007.

This motion is based upon all files, records and proceedings herein, including the Declaration of Patricia Bloodgood, filed herewith, which identifies the second wave declarations. In addition, this motion incorporates by reference Plaintiffs' memorandum of law in support of their motion to strike or exclude the first wave declarations of putative class members submitted by FXG. That memorandum was filed by Plaintiffs on May 29, 2007 (Doc. No. 688).

Dated: June 18, 2007

Respectfully Submitted,

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